

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

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Department of Personnel and Administrative Reforms

Notification

1/13/76-PER(Vol. III)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs' Notification No. F.7(11)/62-Goa dated 25-7-1963 and in supersession of the existing recruitment rules for the posts, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules relating to recruitment to the Group 'C', Non-Ministerial, Non-Gazetted, posts in Public Works Department, under the Government of Goa, Daman and Diu, namely: —

1. *Short title, application and commencement.* —

(1) These rules may be called the Government of Goa, Daman and Diu, Public Works Department Group 'C', Non-Ministerial, Non-Gazetted Recruitment Rules, 1985.

(2) *Application.* — These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of publication in the Official Gazette.

2. *Number, classification and scales of pay.* —

The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.* — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the said Schedule.

4. *Disqualification.* — No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage or that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.* — Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.* — Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in that regard.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 14th January, 1985.

SCHEDULE

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age & Educational Qualifications prescribed for the direct recruit will apply in the case of promotees.	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	7	8	9	10	11	12	13
1. Draughtsman Grade I	6 (1985) Subject to variation depend-ent on workload.	Group C Non-ministerial Non-Gazetted.	Rs. 425-15-500-EB-15-560-20-700.	Selection	Not exceeding 30 years. (Relaxable for Govt. Servants).	<i>Essential:</i> i) Matriculation or equivalent. ii) Diploma in Civil Engineering, preferably with one year's experience as Draughtsman. <i>Desirable:</i> i. Professional experience. ii. Knowledge of Konkani and/or Marathi.	N.A.	Two years	By promotion failing which by direct recruitment.	<i>Promotion:</i> Draughtsman Grade II with 5 years service in the Grade.	Group 'C' D.P.C.	N.A.
2. Draughtsman Grade II	25 (1985) Subject to variation depend-ent on workload.	Group C Non-ministerial Non-Gazetted.	Rs. 330-10-380-EB-12-500-EB-15-560.	Selection	Not exceeding 30 years. (Relaxable for Govt. Servants).	<i>Essential:</i> i) Matriculation or equivalent. ii) Certificate/Diploma of Draughtsman's course of a recognised I.T.I. <i>Desirable:</i> i. Professional experience. ii. Knowledge of Konkani and/or Marathi.	N.A.	Two years	Promotion failing which by direct recruitment.	<i>Promotion:</i> Draughtsman Grade III/Tracer with 3 years service in the grade.	Group 'C' D.P.C.	N.A.
3. Draughtsman Grade III	73 (1985) Subject to variation depend-ent on workload.	Group C Non-ministerial Non-Gazetted.	Rs. 260-8-300-EB-8-340-10-380-EB-10-430.	Selection	Not exceeding 30 years. (Relaxable for Govt. Servants).	<i>Essential:</i> i) Matriculation or equivalent. ii) Certificate/Diploma of Draughtsman's course of a recognised I.T.I. <i>Desirable:</i> i. Professional experience. ii. Knowledge of Konkani and/or Marathi.	N.A.	Two years	By direct recruitment	N.A.	Group 'C' D.P.C.	N.A.

Forest and Agriculture Department

Notification

1-15(18)/84/LAWD

In exercise of the powers conferred by section 65 read with section 12 of the Goa, Daman and Diu Village Panchayats Regulation, 1962 (Regulation 9 of 1962), the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules, namely:—

1. *Short title and commencement*:—(1) These rules may be called the Goa, Daman and Diu Village Panchayats (Disqualification for Membership) (Disputes) Rules, 1985.

2. *Definitions*.—In these rules, unless the context otherwise requires,

(a) 'member' means a member of a Panchayat;

(b) 'Regulation' means the Goa, Daman and Diu Village Panchayats Regulation, 1962 (9 of 1962);

(c) 'Secretary' means Secretary to the Government of Goa, Daman and Diu incharge of the Village Panchayats for the time being;

(d) 'section' means a section of the Regulation;

(e) words or expressions used but not defined in these rules, shall have the meaning respectively assigned to them in the Regulation.

3. *Decision on question as to disqualification*.—The authority competent to decide the question as to whether a member has become subject to any disqualification referred to in section 11 shall be the Secretary.

4. *Procedure to be followed by Secretary*.—(1) On receipt of a reference under section 12, the Secretary if he considers it proper or necessary to make an inquiry, shall serve a copy of the said reference on the member directing him to file his reply and the documents, if any, in support of his submissions.

(2) The Secretary may make an inquiry in the matter either on the basis of the affidavits and the documents produced in such inquiry by the parties concerned or may receive such oral or documentary evidence which may be produced before him by the concerned parties.

(3) The Secretary shall give his decision and record a finding as to whether the concerned member has become subject to any disqualification referred to in section 11.

(4) The Secretary shall have the power to regulate his own procedure including the fixing of places and times of his sittings and deciding whether to sit in public or in private.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

A. P. Panvelkar, Under Secretary (Forest and Agri.).

Panaji, 15th January, 1985.

Public Works and Urban Development Department

Corrigendum

4/10/83-LAWD

In the Government Notification No. 4/10/83-LAWD dated 5th November, 1984 published in the Official Gazette Series I No. 33 dated 15-11-1984 on page 385, in Clause 2, under Rates of development charges in Items III and IV, the word "Institutional" shall be read as "Institution or".

By order and in the name of the Administrator of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (P. W. & U. D.).

Panaji, 14th January, 1985.

Law Department

Legal Affairs Branch

Notification

LD/1/84-(D). Vol. II

The Foreign Contribution (Regulation) Amendment Ordinance, 1984 (No. 12 of 1984) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1 dated the 20th October, 1984 is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 2nd January, 1985.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 20th October, 1984
Asvina 28, 1906 (Saka)

THE FOREIGN CONTRIBUTION (REGULATION) AMENDMENT ORDINANCE, 1984

No. 12 of 1984

Promulgated by the President in the Thirty-fifth Year of the Republic of India.

An Ordinance to amend the Foreign Contribution (Regulation) Act, 1976

Whereas a Bill to amend the Foreign Contribution (Regulation) Act, 1976, has been passed by the Council of States and is pending in the House of the People;

And Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the Bill;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitu-

tion, the President is pleased to promulgate the following Ordinance:—

1. Short title and commencement.—(1) This Ordinance may be called the Foreign Contribution (Regulation) Amendment Ordinance, 1984.

(2) The provisions of this Ordinance, other than sections 4 and 6, shall come into force at once, and sections 4 and 6 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 2.—In section 2 of the Foreign Contribution (Regulation) Act, 1976 (hereinafter referred to as the principal Act), in sub-section (1),—

(a) in clause (c), the following *Explanation* shall be inserted at the end, namely:—

“Explanation.—A donation, delivery or transfer of any article, currency or foreign security referred to in this clause by any person who has received it from any foreign source, either directly or through one or more persons, shall also be deemed to be foreign contribution within the meaning of this clause;”

(b) for clause (g), the following clause shall be substituted, namely:—

“(g) “political party” means—

(i) an association or body of individual citizens of India—

(1) which is, or is deemed to be, registered with the Election Commission of India as a political party under the Election Symbols (Reservation and Allotment) Order, 1968, as in force for the time being; or

(2) which has set up candidates for election to any Legislature, but is not so registered or deemed to be registered under the Election Symbols (Reservation and Allotment) Order, 1968;

(ii) a political party mentioned in column 1 of Table I to the notification of the Election Commission of India No. 56/J&K/82, dated the 19th July, 1982 as in force for the time being;”.

3. Amendment of section 4.—In section 4 of the principal Act, in sub-section (1), in clause (c), for the words “Government servant”, the words “Judge, Government servant” shall be substituted.

4. Amendment of section 6.—In section 6 of the principal Act, for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) No association [other than an organisation referred to in sub-section (1) of section 5] having a definite cultural, economic, educational, religious or social programme shall accept foreign contribution unless such association,—

(a) registers itself with the Central Government in accordance with the rules made under this Act; and

(b) agrees to receive such foreign contributions only through such one of the branches of a bank as it may specify in its application for such registration,

and every association so registered shall give, within such time and in such manner as may be prescribed, an intimation to the Central Government as to the amount of each foreign contribution received by it, the source from which and the manner in which such foreign contribution was received and the purpose for which and the manner in which such foreign contribution was utilised by it:

Provided that where such association obtains any foreign contribution through any branch other than the branch of the bank through which it has agreed to receive foreign contribution or fails to give such intimation within the prescribed time or in the prescribed manner, or gives any intimation which is false, the Central Government may, by notification in the Official Gazette, direct that such association shall not, after the date of issue of such notification, accept any foreign contribution without the prior permission of the Central Government.

(1A) Every association referred to in sub-section (1) may, if it is not registered with the Central Government under that sub-section, accept any foreign contribution only after obtaining the prior permission of the Central Government and shall also give, within such time and in such manner as may be prescribed, an intimation to the Central Government as to the amount of foreign contribution received by it, the source from which and the manner in which such foreign contribution was received and the purposes for which and the manner in which such foreign contribution was utilised by it.”.

5. Amendment of section 9.—In section 9 of the principal Act, in the opening portion, for the words “Government servant”, the words “Judge, Government servant” shall be substituted.

6. Amendment of section 10.—In section 10 of the principal Act, in clause (b), for the words and figure “require any association, specified in section 6”, the words, brackets and figures “without prejudice to the provisions of sub-section (1) of section 6, require any association specified in that sub-section” shall be substituted.

7. Amendment of section 14.—In section 14 of the principal Act, for the words and figure “class I post”, at both the places where they occur, the words and letter “Group A post” shall be substituted.

8. Insertion of new section 15A.—After section 15 of the principal Act, the following section shall be inserted, namely:—

“15A. **Audit of accounts.**—Where any organisation or association fails to furnish any returns under this Act within the time specified therefor—

or the returns so furnished are not in accordance with law or if, after inspection of such returns, the Central Government has any reasonable cause to believe that any provision of this Act has been, or is being contravened, that Government may, by general or special order authorise such gazetted officer, holding a Group A post, as it may think fit, to audit any books of account kept or maintained by such organisation or association, as the case may be, and thereupon every such officer shall have the right to enter in or upon any premises at any reasonable hour, before sunset and after sunrise, for the purpose of auditing the said books of account:

Provide that any information obtained from such audit shall be kept confidential and shall not be disclosed except for the purposes of this Act."

9. Insertion of new section 25A.—After section 25 of the principal Act, the following section shall be inserted, namely:—

"25A. Prohibition of acceptance of foreign contribution.—Notwithstanding anything contained in this Act, whoever, having been convicted of any offence under sub-section (1) of section 23 or section 25, in so far as such offence relates to the acceptance or utilisation of foreign contribution, is again convicted of such offence shall not accept any foreign contribution for a period of three years from the date of the subsequent conviction."

ZAIL SINGH,
President.

R. V. S. PERI SASTRI
Secy. to the Govt. of India